
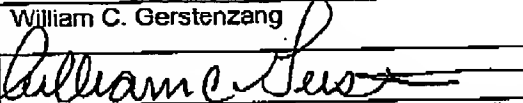


PTO/SB/21 (12-97)

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TRANSMITTAL FORM (To be used for all correspondence after initial filing)		Application Number	09/995,139
		Filing Date	November 27, 2001
		First Named Inventor	Klemens Kohlgruber
		Group Art Unit	3753
		Examiner Name	Virginia Manoharan
Total Number of Pages in This Submission		Attorney Docket Number	Bayer 10,227-WCG

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> To convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Additional Enclosure(s) - (please identify below):
Remarks:		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	William C. Gerstenzang NORRIS McLAUGHLIN & MARCUS, P.A.	
Signature		
Date	March 13, 2003	
Reg. No. 27,552		
CERTIFICATE OF FACSIMILE TRANSMISSION		
I hereby certify that this correspondence is being transmitted via facsimile addressed to: Hon. Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: March 13, 2003.		
Typed or printed name	William C. Gerstenzang	
Signature		Date 3/13/03

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Attorney Docket No.: Bayer 10,227-WCG
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Klemens Kohlgruber et al.
Serial No. : 09/995,139
Filed : November 27, 2001
For : APPARATUS FOR CARRYING OUT MASS
TRANSFER PROCESS
Art Unit : 3753
Examiner : Virginia Manoharan

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MAR 13 2003
GROUP 3700

March 13, 2003

Honorable Assistant Commissioner
for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

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Sir:

In response to the Restriction Requirement dated February 28, 2003, Applicants elect Group I, claims 1-16 and 18-22, drawn to the apparatus, with traverse.

Reconsideration and withdrawal of the restriction requirement is respectfully requested. Any search of the apparatus is certain to include a search of the method for boiling down and devolatilizing high-viscosity liquids, using the apparatus, and any search of the method is certain to include a search of apparatus used in that method.

Accordingly, no additional burden would be placed on the Patent Office in searching both groups together. By contrast, a very great burden will be placed on Applicants if this restriction requirement is maintained. Applicants will be subjected to twice the cost and effort in prosecuting two patent applications for an invention that should have been included in one, and will also be subjected to the continuing expense of maintaining two separate patents, whereas only one should be required to cover the full invention.

In addition, an additional burden will be placed on the public, in that the full scope of Applicants' claims will not be ascertainable from a single patent, and the public will have to find and study two patents to ascertain the full scope of Applicants' exclusive rights.

The great additional burden that will be placed on Applicants and the public in maintaining the restriction requirement is far greater than the slight, if any, inconvenience that will be placed on the Patent Office in withdrawing the Restriction Requirement.

It is therefore respectfully requested that the Restriction Requirement be withdrawn.

In the event that the Examiner does not find it possible to withdraw the Restriction Requirement, it is respectfully requested that the non-elected subject matter be rejoined with the elected subject matter upon allowance of a claim or claims directed

to elected subject matter.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, applicant requests that this be considered a petition therefor. Please charge the required Petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess to our Deposit Account No. 14-1263.

Respectfully submitted

NORRIS, McLAUGHLIN & MARCUS

By William C. Gerstenzang
William C. Gerstenzang
Reg. No. 27,552

WCG/ms

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I hereby certify that this correspondence is being transmitted via facsimile addressed to: The Hon. Assistant Commissioner for Patents, Washington, D.C. 20231 on March 13, 2003.

NORRIS, McLAUGHLIN & MARCUS P.A.

By: William C. Gerstenzang

Date: March 13, 2003

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